

The Honorable S. Kate Vaughan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TSR LLC,

Plaintiff,

v.

WIZARDS OF THE COAST LLC,

Defendant.

Case No. C21-1705-SKV

**STIPULATED [~~PROPOSED~~]
PROTECTIVE ORDER
GOVERNING CONDUCT**

WIZARDS OF THE COAST LLC,

Counterclaim Plaintiff,

v.

TSR LLC; JUSTIN LANASA; and
DUNGEON HOBBY SHOP MUSEUM LLC,

Counterclaim Defendants.

1. PURPOSES AND LIMITATIONS

This Stipulated Protective Order Governing Conduct (“Protective Order”) addresses conduct regarding witnesses in this case, including third-party subpoena recipients, witnesses subject to deposition or examination at trial, and any other person who may have or be perceived to have information pertinent to the issues in this lawsuit, including the parties’ claims and

defenses (collectively, “Witnesses”), and the named parties to this case (collectively referred to as a “Party” or “Parties”).

2. SCOPE

2.1 The protections conferred by this Protective Order cover the Parties and any Party’s employees, agents, representatives, family members, or other persons acting under the Parties’ direction or control.

2.2 Witnesses who fit the descriptions in Paragraph 2.1 are covered by this Protective Order.

2.3 This Protective Order is entered in addition to the Stipulated Protective Order agreed to by the Parties and entered by this Court at Dkt. 27. The Stipulated Protective Order remains in full effect with respect to the subjects it addresses.

3. CONDUCT REGARDING WITNESSES AND PARTIES

3.1 Basic Principles. The full litigation of disputes on the merits requires truthful and open testimony by those individuals with knowledge of facts relevant to a case. It also requires cooperation of both Parties and non-party Witnesses who have information, documents, or other materials subject to discovery. While parties in litigation retain their First Amendment rights, their rights regarding the issues before the Court are constrained by the Court’s pursuit of truth and the just resolution of disputes. Speech that interferes with this pursuit by harassing, intimidating, pressuring, or otherwise improperly attempting to influence Witnesses or a Party is not permitted. Ordinary and good faith conduct of litigation, including motions practice, depositions, and public statements in the regular course of litigation, does not fall within the conduct proscribed by this Protective Order.

3.2 Comments Regarding Witnesses. No Party may engage in any direct or indirect conduct to improperly influence testimony or participation in this lawsuit.

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This includes, but is not limited to:

- any public, limited audience, or private statements intended to or likely to have the effect of harassing, intimidating, threatening, or otherwise improperly influencing Witnesses or a Party in this litigation;
- the actual or threatened dissemination of any personal information about Witnesses or a Party, including information of a personal nature regardless of whether it may be available in the public domain;
- use of a Witness's or a Party's name or likeness in a derogatory or harassing manner;
- false and intentionally harassing reports to law enforcement about a Witness or a Party;
- solicitation, encouragement, or suggestion for others to perform any conduct barred by this Protective Order; and
- any other behavior intended to or likely to have the effect of improperly influencing a Witness or a Party.

3.3 Applicable Forums. The restrictions in Paragraph 3.2 apply to traditional media, email, blogs, public statements, chat rooms, and social media, including but not limited to Facebook, YouTube, Discord, Twitter, EN World, and any other internet forum, or direct messages on any such platforms. They also apply to limited-audience statements and other non-private communications.

4. ENFORCEMENT

Any violation of this Protective Order shall be brought to the Court's attention. A Party found to have directly or indirectly violated this Order may be subject to sanctions, including without limitation attorneys' fees for the Party bringing the violation before the Court and any

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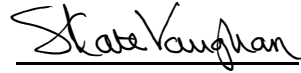
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damages or expenses incurred by a Witness or a Party as a result of conduct barred by this Protective Order.

[~~PROPOSED~~] IT IS SO ORDERED.

DATED: November 4th, 2022.



S. KATE VAUGHAN
United States Magistrate Judge

Stipulated to by:

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STIPULATED PROTECTIVE ORDER GOVERNING
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